

RESOLUTION NO. 24281

A RESOLUTION AUTHORIZING RYAN W. MAY TO USE TEMPORARILY THE UNOPENED ALLEY ON THE EAST SIDE OF 600, 604, AND 608 HAMILTON AVENUE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, TO INSTALL A DRIVEWAY TO GAIN ACCESS TO CERTAIN PROPERTIES, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Ryan W. May (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the unopened alley on the east side of 600, 604, and 608 Hamilton Avenue to install a driveway to gain access to Lots 5, 6, 7, and 8, Block C, Frazier and Colville's Addition to Hill City, Plat Book 4, Page 28, as shown on the drawing attached hereto and made a part hereof by reference.

BE IT FURTHER ORDAINED, That said temporary usage shall be subject to the following additional conditions:

1. Approval of the final drawings by the City Engineer.
2. Temporary User shall execute the Indemnification Agreement attached hereto in favor of the City of Chattanooga, its officers, agents and employees for any and all claims for damages for injuries to persons or property related to or arising out of the temporary usage.
3. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.
4. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

ADOPTED: December 14, 2004

/add

24281

12-14-04

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and RYAN W. MAY (hereinafter "Temporary User"), this the 14th day of DECEMBER, 2004.

For and in consideration of the granting of the temporary usage of the unopened alley on the east side of 600, 604, and 608 Hamilton Avenue, to install a driveway to gain access to Lots 5, 6, 7, and 8, Block C, Frazier and Colville's Addition to Hill City, Plat Book 4, Page 28, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

1. Temporary User will defend, and hold harmless the City of Chattanooga, Tennessee, its officers, agents and employees from any and all claims for damages for injuries to persons or property related to or arising out of the aforementioned temporary use.

2. Temporary User will vacate the property and temporary use upon reasonable notice from the City to do so; the parties hereto agree that "reasonable notice" shall be deemed to be thirty (30) days. Temporary User will restore the property to its original condition when it is returned to the City.

3. Temporary User will provide adequate access for maintenance of any utilities located within the easement.

_____, 2004
Date

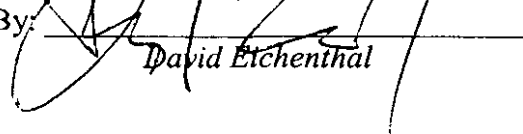
BY: _____

CITY OF CHATTANOOGA, TENNESSEE

2/20/_____, 2004
Date

BY: 
Bob Corker, Mayor

/add

Reviewed By: 
David Etchenhal

